

Quinn	Sensenbrenner	Taylor (MS)
Ramstad	Shaw	Taylor (NC)
Ravenel	Shays	Thomas (CA)
Regula	Shuster	Thomas (WY)
Ridge	Skeen	Torkildsen
Roberts	Smith (MI)	Upton
Rogers	Smith (NJ)	Vucanovich
Rohrabacher	Smith (OR)	Walker
Ros-Lehtinen	Smith (TX)	Walsh
Roth	Snowe	Weldon
Roukema	Solomon	Wolf
Royce	Spence	Young (AK)
Santorum	Stearns	Young (FL)
Saxton	Stump	Zeliff
Schaefer	Sundquist	Zimmer
Schiff	Talent	

NOT VOTING—8

Bateman	Payne (NJ)	Whitten
Ford (TN)	Sharp	Wilson
Henry	Washington	

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. McNULTY, announced that the yeas had it.

Mr. SOLOMON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	259
	Nays	164

9.6 [Roll No. 13]
YEAS—259

Abercrombie	Derrick	Jacobs
Ackerman	Deutsch	Jefferson
Andrews (ME)	Diaz-Balart	Johnson (GA)
Andrews (NJ)	Dicks	Johnson (SD)
Andrews (TX)	Dingell	Johnson, E. B.
Applegate	Dixon	Johnston
Bacchus (FL)	Dooley	Kanjorski
Baesler	Durbin	Kaptur
Barcia	Edwards (CA)	Kennedy
Barlow	Edwards (TX)	Kennelly
Becerra	Engel	Kildee
Beilenson	English (AZ)	Klecicka
Berman	English (OK)	Klein
Bevill	Eshoo	Klink
Bilbray	Evans	Kopetski
Bishop	Fazio	Kreidler
Blackwell	Fields (LA)	LaFalce
Boehlert	Filner	Lambert
Bonior	Fingerhut	Lancaster
Borski	Flake	Lantos
Boucher	Foglietta	LaRocco
Brewster	Ford (MI)	Laughlin
Brooks	Frank (MA)	Lehman
Browder	Franks (NJ)	Levin
Brown (CA)	Frost	Lewis (GA)
Brown (FL)	Furse	Lipinski
Brown (OH)	Gejdenson	Long
Bryant	Gephardt	Lowey
Byrne	Geren	Machtley
Cantwell	Gibbons	Maloney
Cardin	Gilman	Mann
Chapman	Glickman	Manton
Clay	Gonzalez	Margolies-
Clayton	Gordon	Mezvinsky
Clement	Green	Markey
Clyburn	Gunderson	Martinez
Coleman	Gutierrez	Matsui
Collins (IL)	Hall (OH)	Mazzoli
Collins (MI)	Hall (TX)	McCluskey
Condit	Hamilton	McCurdy
Conyers	Harman	McDermott
Cooper	Hastings	McHale
Coppersmith	Hayes	McKinney
Costello	Hefner	McNulty
Coyne	Hilliard	Meehan
Cramer	Hinchey	Meek
Danner	Hoagland	Menendez
Darden	Hochbrueckner	Mfume
de la Garza	Holden	Miller (CA)
Deal	Hoyer	Mineta
DeFazio	Hughes	Minge
DeLauro	Hutto	Mink
Dellums	Inslee	Moakley

Mollohan	Roemer	Stupak
Montgomery	Rose	Swett
Moran	Rostenkowski	Swift
Morella	Roukema	Synar
Murphy	Rowland	Tanner
Murtha	Roybal-Allard	Tauzin
Nadler	Rush	Taylor (MS)
Natcher	Sabo	Tejeda
Neal (MA)	Sanders	Thornton
Neal (NC)	Sangmeister	Thurman
Oberstar	Sarpalius	Torres
Obey	Sawyer	Torrice
Olver	Saxton	Towns
Ortiz	Schen	Trafigant
Owens	Schroeder	Tucker
Pallone	Schumer	Unsoeld
Parker	Scott	Valentine
Pastor	Serrano	Velazquez
Payne (NJ)	Shays	Vento
Payne (VA)	Shepherd	Visclosky
Peterson (FL)	Sisisky	Volkmer
Peterson (MN)	Skaggs	Walsh
Pickett	Skelton	Waters
Pickle	Slattery	Watt
Pomeroy	Slaughter	Wheat
Poshard	Smith (IA)	Whitten
Price (NC)	Smith (NJ)	Williams
Quinn	Snowe	Wise
Rahall	Spratt	Woolsey
Ramstad	Stark	Wyden
Rangel	Stenholm	Wynn
Reed	Stokes	Yates
Reynolds	Strickland	Young (AK)
Richardson	Studds	

NAYS—164

Allard	Gingrich	Miller (FL)
Archer	Goodlatte	Molinari
Armed	Goodling	Moorhead
Bacchus (AL)	Goss	Myers
Baker (CA)	Grams	Nussle
Baker (LA)	Grandy	Orton
Ballenger	Greenwood	Oxley
Barrett (NE)	Hancock	Packard
Bartlett	Hansen	Paxon
Barton	Hastert	Pelosi
Bateman	Hefley	Penny
Bentley	Herger	Petri
Bereuter	Hobson	Pombo
Bilirakis	Hoekstra	Porter
Bile	Hoke	Pryce (OH)
Blute	Horn	Quillen
Boehner	Houghton	Ravenel
Bonilla	Huffington	Regula
Bunning	Hunter	Ridge
Burton	Hutchinson	Roberts
Buyer	Hyde	Rogers
Callahan	Inglis	Rohrabacher
Calvert	Inhofe	Ros-Lehtinen
Camp	Istook	Roth
Canady	Johnson (CT)	Royce
Carr	Johnson, Sam	Santorum
Castle	Kasich	Schaefer
Clinger	Kim	Schiff
Coble	King	Sensenbrenner
Collins (GA)	Kingston	Shaw
Combest	Klug	Shuster
Cox	Knollenberg	Skeen
Crane	Kolbe	Smith (MI)
Crapo	Kyl	Smith (OR)
Cunningham	Lazio	Smith (TX)
DeLay	Leach	Solomon
Dickey	Levy	Spence
Doolittle	Lewis (CA)	Stearns
Dornan	Lewis (FL)	Stump
Dreier	Lightfoot	Sundquist
Duncan	Linder	Talent
Dunn	Livingston	Taylor (NC)
Emerson	Lloyd	Thomas (CA)
Everett	Manzullo	Thomas (WY)
Ewing	McCandless	Torkildsen
Fawell	McCollum	Upton
Fields (TX)	McCrery	Vucanovich
Fish	McDade	Walker
Fowler	McHugh	Waxman
Franks (CT)	McInnis	Weldon
Gallegly	McKeon	Wolf
Gallo	McMillan	Young (FL)
Gekas	Meyers	Zeliff
Gilchrist	Mica	Zimmer
Gillmor	Michel	

NOT VOTING—7

Barrett (WI)	Henry	Wilson
Ford (TN)	Sharp	
Hamburg	Washington	

So the resolution was agreed to.
A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

9.7 PRIVILEGES OF THE HOUSE

Mr. SOLOMON submitted the following resolution:

Whereas Article I, section 1, of the Constitution provides that, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives;" and

Whereas Article I, section 2, of the Constitution provides that, "The House of Representatives shall be composed of Members chosen every second year by the people of the several States;" and

Whereas the Committee of the Whole is a device used by the House under which all House members act together to debate and amend bills raising revenues or directly or indirectly appropriating money; and

Whereas the Committee of the Whole is an integral part of the legislative process and the means by which the House of Representatives exercises its legislative powers and prerogatives under the Constitution; and

Whereas on January 5, 1993, the House, in the resolution adopting the Rules of the House for the 103rd Congress (H. Res. 5), included provisions authorizing the Resident Commissioner from Puerto Rico and the delegates from the District of Columbia, Guam, American Samoa and the Virgin Islands to vote in and preside over the Committee of the Whole; and

Whereas attempts to refer the proposal to a select committee to study its constitutionality and to separately vote on such proposal were prevented by procedural votes, and the House was thereby precluded from making a separate determination as to whether such provisions are in conformance with constitutional requirements and Members' sworn duty to uphold the Constitution; and

Whereas such proposal affects the representational rights of duly elected Members of the House under the Constitution and could result in a derogation or denial of such rights; and

Whereas such proposal affects the constitutional lawmaking prerogatives of the House and its Members and the integrity of the process by which bills are considered, and thus raises a question of the privileges of the House; and

Whereas the House has just adopted a resolution making it in order for the Speaker to declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of legislation, and this represents the first instance in the 103rd Congress in which the House is resolving into the Committee of the Whole under the provisions of the new rule allowing non-Members of the House to vote in and Chair the Committee of the Whole; and

Whereas the inability and failure of the House to make a separate determination as to the constitutionality of the proposal prior to this first use of the new rule presents the House with an "extraordinary question" under the Constitution requiring a separate determination and thus raises a question of the privileges of the House; Now, therefore, be it

Resolved, That, as a matter of the constitutional privileges of the House to make all laws and to preserve the integrity of its proceedings and the representational rights of its Members, the implementation of those provisions of House Rules as adopted on January 5, 1993, authorizing the Resident Commissioner from Puerto Rico and the Delegates from the District of Columbia, American Samoa, the Virgin Islands and Guam to vote in and preside over the Committee of